

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Exigent Landscaping, LLC, xx-xxx5176
dba Exigent Design and Build
13246 23 Mile Road
Shelby Township, MI 48315

Case No. 23-46912-TJT
Chapter 7
Hon. Thomas J. Tucker

Debtor.

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**CORRECTED NOTICE OF MOTION FOR ORDER AUTHORIZING
TRUSTEE TO AUCTION ASSETS FREE AND CLEAR OF LIENS,
CLAIMS, AND INTERESTS WITH ALL LIENS, CLAIMS, AND
INTERESTS ATTACHING TO THE PROCEEDS OF SALE**

On March 6, 2024, Chapter 7 Trustee Mark H. Shapiro filed a Motion for Order Authorizing Trustee to Auction Assets Free and Clear of Liens, Claims, and Interests with all Liens, Claims, and Interests Attaching to the Proceeds of Sale (“Motion”; Docket #172).

Notice of the Motion is corrected to allow creditors and interested parties 21 days to respond to the Motion. Accordingly, the auction has been rescheduled to May 7, 2024.

Pursuant to the Motion, the Trustee intends to sell assets of the Debtor, consisting primarily of the following:

Property Description

Raw materials (gravel, sand, pavers)
Misc. office furniture, incl conference table, 4 desks, 12 chairs
Office equipment, incl computers, printers, TV
(2) 20" Trailer, 18" Trailer, 16" Trailer, 10" Trailer
GMC 4500 Truck
3 Trailers
2 Vacuum Paver Lifters
Topsoil Screener
2 Toro Dingo
Large Tamper

5 Small Tampers
5 Stihl saws
Rebar cutter and tier
2 Compressors
Misc. pool equipment and supplies
Misc. hand tools
Mud Buggy
Cat 308e2 Excavator - subject to lien of CAT

(“Assets”). The Assets will be sold through an online auction to be conducted by Miedema Auctioneering, Inc. d/b/a Repocast on or after May 7, 2024.

The Assets will be sold free and clear of liens, claims, and interests. Further details are included in the Motion. A copy of the Motion may be obtained from the Trustee or the bankruptcy court. Additional information regarding the sale may be obtained from the auctioneer at (866) 550-REPO or by contacting the Trustee’s office at (248) 352-4700.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant the Motion, or if you want the Court to consider your views on the Motion, then within 21 days from the date this notice is served you or your attorney must:

File with the Court a written objection or request for hearing, explaining your position at:¹

U.S. Bankruptcy Court
211 West Fort Street
Detroit, Michigan 48226

If you mail your objection or request for hearing to the Court for filing, you must mail it early enough to the Court will **receive** it before the 21-day period expires. All attorneys are required to file pleadings electronically.

¹Objection or request for hearing must comply with Fed. R. Civ. P. 8(b), (c), and (e).

You must also send a copy to:

Tracy M. Clark, Esq.
Steinberg Shapiro & Clark
25925 Telegraph Rd., Suite 203
Southfield, Michigan 48033

If an objection or request for hearing is timely filed, the clerk will schedule a hearing on the Motion, and you will be served with a notice of the date, time, and location of the hearing.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief.

Steinberg Shapiro & Clark

/s/ Tracy M. Clark (P60262)
Attorney for Trustee
25925 Telegraph Rd., Suite 203
Southfield, MI 48033
(248) 352-4700
clark@steinbergshapiro.com

Date: March 27, 2024